

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AUSTIN RICHARD MOORES NELSON,

Petitioner,

v.

DANIEL WHITE,

Respondent.

Case No. C22-5363-BJR-MLP

ORDER

On May 19, 2022, Petitioner filed this federal habeas action under 28 U.S.C. § 2254. (Dkt. # 1.) On June 16, 2022, the Court ordered service on Respondent. (Dkt. # 4.) On June 29, 2022, Petitioner filed a motion to amend his petition. (Dkt. # 5.) Respondent has not yet appeared in this action, nor filed any answer or motion.

Rule 12 of the Rules Governing Section 2254 Cases in the United States District Courts provides that the Federal Rules of Civil Procedure apply to habeas actions under § 2254, to the extent that they are not inconsistent with habeas statutes or rules. Under Federal Rule of Civil Procedure 15(a), a party may amend its complaint once as a matter of course within 21 days after service of a responsive pleading or motion.

1 Accordingly, the Court GRANTS Petitioner's motion to amend his petition (dkt. # 5).
2 The Clerk is directed to arrange for service by e-mail upon Respondent and upon the Attorney
3 General of the State of Washington, copies of Petitioner's amended petition (dkt. # 5-1) and this
4 Order.

5 Dated this 6th day of July, 2022.

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7 MICHELLE L. PETERSON
8 United States Magistrate Judge
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